

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DASSAULT SYSTEMES, SA

Plaintiff,

Case No. 09-cv-10534  
Hon. Matthew F. Leitman

v.

KEITH CHILDRESS,

Defendant.

---

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT’S  
MOTION TO RE-OPEN DISCOVERY (ECF No. 550)**

On October 26, 2021, the Court held a video hearing on Defendant Keith Childress’ motion to re-open discovery on a limited basis. (*See* Mot., ECF No. 550.) For the reasons explained on the record during the hearing, and for the reasons explained in Defendant Dassault Systemes, SA’s response to the motion (*see* Resp., ECF No. 553), the motion is **GRANTED IN PART AND DENIED IN PART** as follows:

- The motion is **GRANTED** to the extent that Childress asks the Court to undertake an *in camera* review of Dassault’s documents that were redacted for relevancy. The Court will review the 141 documents identified on Dassault’s redaction log (*see* ECF No. 314-5) *in camera* for relevancy in light of the Sixth Circuit’s remand order. Dassault shall

produce those documents to the Court by no later than **October 9, 2021**.

The motion is further **GRANTED** to the extent that Childress seeks a signed copy of the agreement between Dassault and IBM that is referenced in Childress' motion. If Dassault possesses a signed copy of that agreement, it shall be produced to Childress by no later than **October 9, 2021**. Finally, Dassault shall review its records to see if it has a copy of any agreement between Dassault and MSC, or MSC and IBM, related to the CATIA software. If Dassault has a copy of such document(s), it shall produce the document(s) to Childress by no later than **October 9, 2021**.

- The motion is **DENIED** in all other respects.

**IT IS SO ORDERED.**

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: October 26, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 26, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(810) 341-9764